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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,377	04/21/2005	Edward Zheng	100697.0016US	4273
34284	7590	05/26/2006	EXAMINER	
ROBERT D. FISH RUTAN & TUCKER LLP 611 ANTON BLVD 14TH FLOOR COSTA MESA, CA 92626-1931			LIU, JONATHAN	
			ART UNIT	PAPER NUMBER
			3673	

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/532,377	Applicant(s) ZHENG, EDWARD	
	Examiner Jonathan J. Liu	Art Unit 3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/21/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because they are unclear with respect to understanding the claimed invention. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7, and 8-10, 15, and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yu (6,247,749). Yu discloses a stand comprising four legs (20, 22, 40, 42), four support rods (12a, 12b, 14a, 14b), and a pair of cross braces (16a, 16b and 18a, 18b) wherein the legs, the support rods, and the cross braces are coupled to each other such that the stand collapses in a single movement in which two of the four legs approximate each other as two of the support rods pivot towards each other.

In regards to claim 2, a first (20) and a second (22) of the four legs are rotatably coupled to each other (through support rods 12a and 12b).

Regarding claim 3, a first support rod (12a) is rotatably coupled to the first of the four legs and wherein a second (12b) of the support rods is rotatably coupled to the second of the four legs.

In regards to claim 7, the stand comprises a body support (44) that is coupled to at least two of the four support rods.

Regarding claim 8, the stand comprises a flexible element (44) that couples the first of the four legs with a third of the four legs and that facilitates collapsing of the hammock stand when the flexible element is pulled upwards relative to the ground and when the hammock stand is in an open configuration.

In regards to claim 9, the flexible element comprises a sheet of fabric (col. 5, line 55).

With regards to claim 10, the sheet of fabric further comprises a handle (44a) [from Webster's II Dictionary, "handle": a part that is held or controlled by the hand]. Member 44a is structurally capable of performing the functions of a handle.

Regarding claim 15, Yu discloses a collapsible stand having a plurality of legs (20, 22, 40, 42), a plurality of support rods (12a, 12b, 14a, 14b), and at least one pair of cross braces (16a and 16b or 18a and 18b) coupling at least one leg (e.g. 40) to at least one of the support rods (e.g. 12a or 12b) such that the stand collapses in a simultaneous front-to-back and side-to-side motion (see figures 1 and 5).

In regards to claim 17, the stand has four legs (20, 22, 40, 42), four support rods (12a, 12b, 14a, 14b), and two pairs of cross braces (16a and 16b or 18a and 18b), wherein the first pair of cross braces (e.g. 16a, 16b) couples at least one leg (e.g. 40) to at least one support rod (e.g. 12a or 12b), wherein the second pair of cross braces (e.g. 18a, 18b) couples at least another one of the legs (e.g. 22) and another one of the support rods (e.g. 14a or 14b), and wherein at least two legs are rotatably coupled to each other (through either the support rods or cross braces).

Regarding claim 18, at least one of the support rods (e.g. 12a) is rotatably coupled to at least one of the legs (e.g. 20).

In regards to claim 19, the stand comprises a body support (comprising members 32, 34, 36, 38) that is coupled to at least two of the four support rods (e.g. 12a and 12b).

With regards to claim 20, the stand further comprises a sheet of fabric (44) coupled to the first, second, third, and fourth leg, wherein the sheet facilitates collapsing of the hammock stand when the sheet of fabric is pulled upwards relative to the ground and when the hammock stand is in an open configuration.

3. Additionally, claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Wu (US 6,467,109). Wu discloses a collapsible stand having a plurality of legs (2, 3), a plurality of support rods (4), and at least one pair of cross braces (1) coupling at least one leg to at least one of the support rods such that the stand collapses in a simultaneous front-to-back and side-to-side motion (see figures 1 and 5).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6 and 11-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu (US 6,247,749) in view of Sarasin (US 3,206,773). Yu discloses the invention of claim 3. However, Yu does not disclose wherein the second of the four legs is coupled to the first of the support rods via a connector rod. Sarasin discloses a collapsible stand comprising a connector rod (16) coupling a support rod (62) and a leg (40). Yu and Sarasin are analogous because they are from the same field of endeavor, i.e. collapsible structures. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the stand of Yu with the connector rod of Sarasin. The motivation would have been to provide structural rigidity. Therefore, it would have been obvious to modify the stand of Yu as specified in claim 4.


In regards to claim 5, it would have been obvious to position the connector rod in a position wherein the connector rod forms an obtuse angle with the second of the four legs when the stand is in an open configuration as an alternative mechanical expedient to increase structural rigidity.

With regards to claim 6, the pair of cross braces is rotatably coupled to each other (Yu: 16c and 18c) and wherein at least one of the cross braces is rotatably

coupled to the first of the four legs (Yu: 24 and 32 or 26 and 34), and rotatably and slidably coupled to a third of the support rods (Yu: 28 and 36 or 30 and 38).

In regards to claim 11, Yu discloses a hammock stand comprising a first leg (20), a second leg (22), a third leg (40), and a fourth leg (42); a first support rod (12a), a second support rod (12b), a third support rod (14a), and a fourth support rod (14b), wherein the first, second, third, and fourth support rods are rotatably coupled to the first, second and third, and fourth leg, respectively; a first pair of cross braces (16a and 16b) rotatably coupled to each other (16c), wherein one of the first pair of cross braces is rotatably coupled to the first leg and a third support rod and wherein the other of the first pair of cross braces is rotatably coupled to the third leg and first support rod (see figure 2 of Yu); a second pair of cross braces (18a and 18b) rotatably coupled to each other (18c), wherein one of the second pair of cross braces is rotatably coupled to the second leg and fourth support rod and wherein the other of the second pair of cross braces is rotatably coupled to the fourth leg and second support rod (see figure 2 of Yu). Yu does not disclose connector rods. Sarasin discloses a first connector rod (62), a second connector rod (64), a third connector rod (62, on the opposite side as the first connector rod), and a fourth connector rod (64, on the opposite side as the second connector rod). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the stand of Yu wherein the first, second, third, and fourth connector rods rotatably couple the first leg and the second support rod, the second leg and the first support rod, the third leg and the fourth support rod, and the fourth leg and the third support rod, respectively. The motivation would have been to provide the

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 stand of Yu with increased structural rigidity. Therefore, it would have been obvious to modify the stand of Yu as specified in claim 11.

Regarding claim 12, the stand comprises a body support (e.g. members 32, 34, 36, 38) that is coupled to the first, second, third, and fourth support rods.

In regards to claim 13, the stand further comprises a sheet of fabric (44) coupled to the first, second, third, and fourth leg, and that facilitates collapsing of the hammock stand when the sheet of fabric is pulled upwards relative to the ground and when the hammock stand is in an open configuration.

With regards to claim 14, the sheet of fabric further comprises a handle (44a).
[from Webster's II Dictionary, "handle": a part that is held or controlled by the hand].

Member 44a is structurally capable of performing the functions of a handle.

Regarding claim 16, see above explanations of claims 4 and 11.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan J. Liu whose telephone number is (571) 272-8227. The examiner can normally be reached on Monday through Friday, 8 am - 5pm.

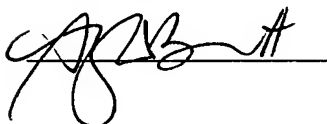
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Suzanne Barrett can be reached on (571) 272-7053. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jonathan J Liu
Examiner
Art Unit 3673

Suzanne Barrett
Primary Examiner
Art Unit 3676

A handwritten signature in black ink, appearing to read 'Suzanne Barrett', written over a horizontal line.